

## CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS			
National Trailer Convoy, Inc.; Morgan Drive Away, Inc.; Transit Homes, Inc.; Regular Common Carrier Conference of American Trucking Associations, Inc., and National Tank Truck Carriers, Inc.  vs  United States of America and Interstate Commerce Commission		For plaintiff: ✓ Gable, Gotwals, Hays, Rubin & Fox Jack N. Hays 2010 Fourth Nat'l Bank Bldg Tulsa, Oklahoma 74119  Roland C. Rice and Richard R. Sigmon ✓ Rice, Carpenter and Carraway 618 Perpetual Bldg. 1111 E. Street N.W. Washington, D.C. 20004  Nuel D. Belnap Daniel J. Sweeney ✓ Belnap, Spencer, Hardy and Sweeney 1 North LaSalle St. Chicago, Illinois 60602  William J. Lippman ✓ Galland, Kharasch, Calkins & Lippman 1824 R. Street, N.W. Washington, D.C. 20009  Harold G. Hernly Harold G. Hernly, Jr., ✓ Wrape and Hernly 711 Fourteenth St., N.W. Washington, D.C. 20005  W. T. Brunson and Charles D. Dudley, 419 NW 6th aSt., Oklahoma City, 73102 -Todd, Dillon & Sullivan, 1819 H St., NW, Washington, D.C. 20006 ✓ Donald F. Turner, Asst. Atty. Gen. ✓ John H. D. Wigger, Dept. of Just. Washington, D. C. 20530 ✓ Lawrence A. McSoud, USAtty. - <i>Jim Ritchie</i> ✓ Robert W. Ginnane, Raymond M. Zimmet, Interstate Commerce Commission, Washington, D. C. 20423			
<u>THREE JUDGE CASE</u>  Hon. Alfred P. Murrah, Hon. Allen E. Barrow, Hon. Luther Bohanon,					
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 9-1-67	Clerk	8-9-67	Gable	15 00	
		8-10-67	C/D 6		15 00
		1-17-69	Gable	5 00	
J.S. 6 mailed 12-1-68	Marshal	1-23-69	C/D No. 31		5 00
Basis of Action: Suit to require ICC to issue permit.	Docket fee				
	Witness fees				
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-9-67	Complaint filed. summons issued. h	
8-10-67	Return on service of summons filed. Executed by mailing 2 copies to Atty. Gen. Wash., D.C. by certified mail and served U.S.D.A. for the No. District of Okla. at Tulsa, Oklahoma; mailed on copy to the Interstate Commerce Comm., Wash., D.C. by certified mail. (USM \$3.00) h	
8-24-67	Order that the court shall be constituted as follows: Hon. Alfred P. Murrah, CJ USCJ; Hon. Allen E. Barrow, USDJ and Hon. Luther Bohanon, USDJ. (Murrah, CJ USCA) e	
10-9-67	Joint answer of the United States of America and the Interstate Commerce Commission filed. h	
10-10-67	Order filed, that the plaintiffs shall file briefs on or before November 20, 1966, the defendants shall have briefs on file on or before December 20, 1967; and the plaintiffs shall have their reply briefs on file on or before January 5, 1967; that arguments and submission of cause shall occur at a date to be determined, but not before January 19, 1968. (Allen E. Barrow - Judge) b	
10-16-67	Order, that plaintiffs file briefs by 12-15-67, and defendants file briefs by 1-15-68, that plaintiffs file reply briefs by 2-1-68, and that a pre-trial hearing be had by 2-15-68, and that arguments for submission of said cause shall occur, but not before 3-1-68. (AEB-J) ds	
11-7-67	Motion of Griffin Mobile Home Transportation Co. for leave to intervene as a defendant, filed. e	
11-7-67	Motion of the Contract Carrier Conference of American Trucking Associations, Inc., for leave to intervene as a defendant, filed. e	
11-20-67	Order allowing Griffin Mobile Home Transportation Co., and Contract Carrier Conference of American Trucking Association, Inc., to intervene as defendants. Briefs the interveners desire to file shall be filed by 1-15-1968, filed. (AEB-J) e	
11-20-67	Answer of intervening defendant Griffin Home Transportation Co., filed. e	
11-20-67	Answer of intervening defendant Contract Carrier Conference of American Transportation, Inc., filed. e	
12-14-67	Order amending brief schedule, filed. Plaintiffs to have briefs filed by 1-8-68; Government and Intervenor to file briefs by 2-8-68, and plaintiff's rebuttal brief to be filed by 2-26-68, and arguments to be presented after 4-1-68. (AEB-J) ds	
1-8-68	Brief of plaintiffs, regular common carrier conference of American Trucking Associations, Inc. and National Tank Truck Carriers, Inc. filed. ds	
1-8-68	Brief of Plaintiff, Morgan Drive-Away, Inc., filed. w	
1-8-68	Brief on behalf of plaintiffs National Trailer Convoy, Inc., Morgan Drive Away, Inc., and Transit Homes, Inc., filed. w	
2-6-68	Order Amending Briefing Schedule, filed. w	
2-29-68	Brief of intervening defendant contract carrier conference, filed. ds	
3-4-68	Joint brief of U.S.A. & Interstate Commerce Commission, filed. w	
3-7-68	Order amending briefing schedule, filed: plaintiff shall file reply brief by 4-3-68; pre-trial order shall be filed by 4-10-68; arguments shall be presented to Court on 4-23-68. (AEB-J) w	
3-13-68	Adoption of Joint Brief of United States of America and Interstate Commerce Commission and Brief of Intervening defendant contract carrier conference by Intervening defendant Griffin Mobile Home Transporting Co. filed. h	
4-2-68	Reply brief of plaintiffs, Regular Common Carrier Conference of American Trucking Associations, Inc., & National Tank Truck Carriers, Inc., filed. w	
4-3-68	Reply Brief of plaintiff, Morgan Drive Away, Inc., filed. e	
4-3-68	Reply Brief on behalf of plaintiffs National Trailer Convoy, Inc., and Transit homes, Inc., filed. e	
4-5-68	Pre-trial order, filed. (AEB-J) w	

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-9-68	Motion for preliminary injunction pendente lite of plaintiffs, filed. ds	
4-9-68	Brief in support of plaintiffs' motion for preliminary injunction, filed. ds	
4-10-68	Case set for hearing on preliminary injunction pendente lite, on Tuesday, 4-16-68 at 10:30 a.m. - notices mailed. h	
4-15-68	Withdrawal of motion for preliminary injunction, filed. w	
4-15-68	Hearing on preliminary injunction pendente stricken from docket of 4-16-68; plaintiff having withdrawn motion for preliminary injunction. (AEB-J)h	
4-23-68	Oral arguments held. After introduction of plaintiffs' exhibits 1 & 2, case submitted to the Court. (Alfred P. Murrah, Allen E. Barrow and Luther Bohanon-Judges)h	
4-23-68	Exhibits filed. h	
6-26-68	Reporter's transcript of proceedings had on 4-23-68, filed. w	
11-21-68	Judgment on decision of the Court, filed and entered. It is ordered that the decision of the Commission is affirmed. (M.M.Ewing, Clerk)h	
11-21-68	Copies mailed.	
11-21-68	Findings of Fact and Memorandum Decision before Murrah, Circuit Judge, Bohanon and Barrow, District Judges, filed. h	
1-17-69	Notice of Appeal to Supreme Court of the U.S., by National Trailer Convoy, filed. js Copies mailed to Brunson & Dudley, Todd, Dillon & Sullivan, Ginnane & Zimmet and L. McSoud. g	
1-17-69	Appeal Bond for Costs, \$250.00, Surety Mid-Continent Casualty Co., filed. js	
2-26-69	Plaintiffs' Request for Certification and Transmission of the Record, filed. m	
3-5-69	Transcript of appeal record forwarded to Clerk, Supreme Court of the United States, Wash. D. C. g	
5-6-69	Letter from Supreme Court of the United States, Motions to affirm are granted and the Judgment is Affirmed. filed. js.	
6-5-69	Certified copy of judgment of Supreme Court of the United States affirming judgment of this court of 11-21-68, filed. g	

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